

HOUSE BILL 3234
By Fowlkes

AN ACT to amend Tennessee Code Annotated, Title 23,
relative to certain advertising by attorneys.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 23, Chapter 3, Part 1, is amended by adding the following as a new section:

§ 23-3-112. If an attorney elects to advertise professional services or seek referrals through advertisements as permitted by Supreme Court Rule 8, RPC 7.2 and elects to do so by use of advertisements in telephone directories or newspapers or by using outdoor advertising, television or the world wide web site, then any such advertisement must include:

(a) A statement as to whether the attorney has a policy of professional liability insurance in effect for any claims arising out of the same, related or continuing professional services provided by such attorney; and

(b) If the attorney does have such a policy of professional liability insurance in effect, then the advertisement must also include both the per incident and aggregate liability limits of such policy.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it and shall apply to any contract for attorney advertising entered into or advertising purchased on or after such date.